

Remarks

I. Submission of Supplemental Reissue Application Declaration

The Office Action issued on May 8, 2007 considered the reissue oath/declaration filed with the above-referenced reissue application to be defective because it fails to identify at least one error which is relied upon to support the reissue application. In addition, this Office Action rejected claims 2-4, 9-16, 19 and 21-28 as being based upon a defective reissue declaration under 35 U.S.C. 251. Specifically, the Office Action states that Applicant did not identify the prior art that was disclosed during the prior interference proceeding that was previously unknown to the assignee or inventors, and, more specifically, that any specific prior art rendered any specific claims of the patent unpatentable. Accordingly, a supplemental reissue application declaration is being submitted herewith to correct this informality. Acceptance of the supplemental declaration, withdrawal of these rejections and allowance of the claims is, therefore, respectfully requested.

II. Response to Rejection under 35 U.S.C. 251

The Office Action also rejected claims 2-4, 9-16, 19 and 21-28 under 35 U.S.C. 251 as being broadened in a reissue application filed outside the two year statutory period.

Applicant respectfully submits that claims 2, 9, 11, 14, 19 and 21 were amended in the Preliminary Amendment submitted on June 14, 2004 to be placed in independent form by incorporating all of the limitations of the original claims from which they originally depended upon in U.S. Patent No. 5,573,414. For example, amended claims 2, 11, 14 and 21 incorporate all of the limitations from original claim 1, amended claim 9 incorporates all of the limitations from original claims 1, 7 and 8, and amended claim 19 incorporates all of the limitations from original claims 1, 17 and 19. No new matter has been added and no

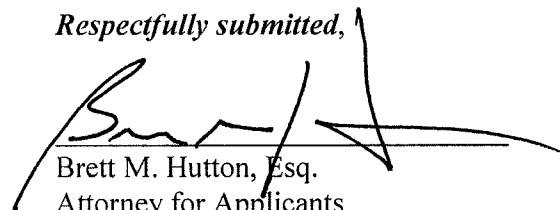
limitations were added to or removed from these claims. Therefore, Applicant respectfully submits that claims 2-4, 9-16, 19 and 21 were not broadened in scope than the original claims.

The Office Action considers the new claims in the reissue application to be broadening under MPEP section 14123.03(I) because the original claims included a method step of "matably connecting said first member (a sleeve in the reissue claims) to said second member (a clip in the reissue claims) such that said first member and said section member define a hollow inner chamber..." The Office Action considers the new claims added in the reissue to only require "a clip having a hollow inner chamber therein," without requiring a hollow chamber defined after the clip and sleeve are mated together.

Accordingly, claims 22-24 and 27-28 were amended to address this rejection. Withdrawal of this rejection and allowance of the claims is, therefore, respectfully requested. Applicant respectfully submits that the amended claims do not include any broadening limitations.

If a telephone conference would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

Respectfully submitted,



Brett M. Hutton, Esq.
Attorney for Applicants
Registration No. 46,787

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HESLIN ROTHENBERG FARLEY & MESITI P.C.
5 Columbia Circle
Albany, New York 12203
Telephone: (518) 452-5600 Facsimile: (518) 452-5579